

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY _____ D.C.
05 MAY -3 PM 5: 03
ROBERT R. DI TROLO
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W.D. OF TN-JACKSON

ANITA RHODES,

Plaintiff,

VS.

No. 04-1102-T/An

ALLSTATE INSURANCE COMPANY
and ACE AMERICAN INSURANCE
COMPANY,

Defendants.

ORDER DENYING MOTION FOR VOLUNTARY DISMISSAL

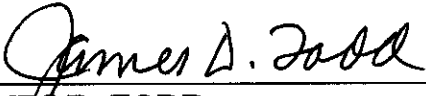
On April 29, 2005, the Court issued an order granting the defendants' motions for summary judgment; the order was entered on the docket on May 3, 2005. In that order, the Court noted that plaintiff had failed to respond to the motions, and had requested no extension of time in which to do so. The Court also noted that plaintiff had failed to renew her earlier motion for voluntary dismissal without prejudice, even though she had been advised that she could do so.

It now appears that plaintiff filed a renewed motion for dismissal without prejudice on the same day the Court issued its order, April 29, 2005. However, as the Court has now ruled on the merits, a voluntary dismissal without prejudice is not appropriate. Therefore,


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the plaintiff's motion for dismissal without prejudice is DENIED.

IT IS SO ORDERED.



JAMES D. TODD
UNITED STATES DISTRICT JUDGE



DATE



Notice of Distribution

This notice confirms a copy of the document docketed as number 36 in case 1:04-CV-01102 was distributed by fax, mail, or direct printing on May 5, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT